

8713. Adulteration of tomato pulp. U. S. * * * v. 615 Cans * * *
of Tomato Pulp. Default decree of condemnation, forfeiture, and
destruction. (F. & D. No. 12379. I. S. No. 6247-r. S. No. C-1907.)

On April 23, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 615 cans, each containing 5 gallons of tomato pulp, at Burlington, Iowa, alleging that the article had been shipped on or about August 8, 1919, by the Military Tract Conserve Co., Bushnell, Ill., and transported from the State of Illinois into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act. The cans bore no labels.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On November 17, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8714. Misbranding of Gauvin's Cough Syrup. U. S. * * * v. 70 Bottles
of Gauvin's Cough Syrup. Default decree of condemnation, forfei-
ture, and destruction. (F. & D. No. 12451. I. S. No. 13070-r. S. No. E-2114.)

On May 17, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 bottles of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Portland, Me., alleging that the article had been shipped on or about October 29, 1919, by J. A. E. Gauvin, Lowell, Mass., and transported from the State of Massachusetts into the State of Maine, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) " * * * For * * * 'La Grippe,' Whooping-Cough & all Affections of the Throat & lungs;" (carton) " * * * recommended for * * * 'la Grippe,' Whooping Cough and all Throat and Pulmonary Diseases * * * A safe and active Remedy for all Diseases of the Respiratory Organs * * * La Grippe, Whooping-Cough and all Throat and Lung Diseases;" (circular) " * * * Successfully used in all affections of the Throat, Bronchi and Lungs * * * especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping Cough, Influenza and in the first stages of Consumption * * * Tuberculosis * * * ailments of the Chest * * * Spasmodic Coughs * * * Used against all Affections of the Throat, Bronchi, and Lungs * * * Gauvin's Cough Syrup is fully indicated for treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Asthma, Whooping-Cough, Grippe, Hoarseness, Influenza and the first stages of Consumption * * * Tuberculosis and * * * Epidemic Grippe * * * Diseases of the Chest * * * Gastric Disorders * * * recommended for Pulmonary Diseases * * * Affections of the Throat, Bronchial Tubes and Lungs, Hoarseness * * * La Grippe, Whooping-cough."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of the extractives of wild cherry bark and spruce gum, sugar, water, and alcohol.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements were false and fraudulent in that said article con-

tained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it in said statements.

On June 17, 1920, no claimant having appeared for the product, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S715. Adulteration of cauned tomato purée. U. S. * * * v. 25 Cases of Canned Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 2452. I. S. No. 7282-r. S. No. C-1932.)

On May 10, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases of canned tomato purée, remaining unsold in the original unbroken packages at Louisville, Ky., shipped by the Lapel Canning Co., Lapel, Ind., on or about February 26, 1920, alleging transportation from the State of Indiana into the State of Kentucky, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On July 1, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S716. Misbranding of De Lacy's Cin-Ko-Na and Iron. U. S. * * * v. 16 Bottles of De Lacy's Cin-Ko-Na and Iron. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12523. I. S. No. 9551-r. S. No. C-1862.)

On March 23, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 bottles of De Lacy's Cin-Ko-Na and Iron, remaining unsold in the original unbroken packages at Memphis, Tenn., alleging that the article had been shipped on or about September 11, 1919, by the De Lacy Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Tennessee, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Nervousness, Impure Blood, * * * Malaria, Catarrh * * * Indigestion * * * Sleeplessness * * * Blood Diseases & Rheumatism * * * Pimples;" (carton) "A valuable remedy for All Blood Diseases, Rheumatism, Catarrh and all Nervous Diseases * * * Builds up the entire Nervous System, Allays Kidney and Bladder Troubles, Headache, etc. * * * Catarrh in all its forms * * * Liver Complaints * * *. Invigorates the Kidneys * * * is a perfect Remedy in all Chronic Diseases peculiar to Women * * * Coughs, Colds, Grip, Bronchitis and Catarrh of the Stomach * * * Pimples, Ulcers, Skin Troubles, Scrofula, and All Diseases arising from Impure Blood. Nervous Troubles, Neuralgia * * * Sleeplessness, Dizziness, Blues, * * * Dependancy * * * Tobacco and Alcoholic Excess, and Nervous Prostration, Malaria, Chills and Fever * * * completely kills all Malaria Germs. Indigestion, Dyspepsia * * for all Stomach and Bowel Troubles. It is of great benefit and most useful for Consumption and all Wasting Diseases, Kid-